

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

ANA R. OLIVELLA RIVERA

Plaintiff

v.

POPULAR LEASING AND RENTAL, INC.,  
ET AL.

Defendants

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\* CIVIL NO.: 98-2267 (JAG)

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JURY TRIAL DEMANDED

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MOTION TO SHOW CAUSE AND REGARDING DATE OF TRIAL

TO THE HONORABLE COURT:

COME NOW defendants PREFERRED RISK INSURANCE COMPANY (erroneously denominated Puerto Rican American Insurance Company) and BANCO POPULAR DE PUERTO RICO, represented by the undersigned attorneys, and before the Honorable Court respectfully tenders this proposed pre-trial order:

1. On May 31, 2006 a pre-trial conference was held in the above captioned case.

2. The undersigned attorney did not appear at said conference due to illness, she has been out of the office for the most part of the months of April and May. The court order scheduling the pre-trial conference was notified on May 1, 2006. Although the other attorneys in the office had been helping the undersigned in the management of her cases due to her absence from the office, this court's order was not entered in the calendar of any of the attorneys, including the undersigned, and therefore none of the

attorneys or secretaries were aware that the pre-trial had been scheduled. This occurred as a result of an honest and unintentional mistake on the part of the undersigned and we respectfully request excuses for the inconveniences that our non-appearance caused this Honorable Court and the other attorneys in the case.

3. Moreover, this Honorable Court scheduled the trial in this case for June 19 to June 23, 2006. The undersigned attorney will be leaving Puerto Rico on June 17 and will be out of Puerto Rico until August 5, 2006. The purpose of the trip is health reasons and also to provide a special educational summer program for her minor daughter. Therefore, the undersigned attorney will not be available during the dates scheduled for the trial and it is respectfully requested that the trial date be continued.

WHEREFORE, for the above stated reasons it is respectfully requested that this Honorable Court reconsiders its decision to impose sanctions upon the appearing attorney for the non appearance at the pre-trial conference held on May 31, 2006 and that the trial scheduled for June 19 to 23, 2006 be re-scheduled to any time after August 5, 2006, when the undersigned attorney returns to Puerto Rico.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Rafael A.**

**Oliveras López, Esq.; David López Pumarejo, Esq.**

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 9<sup>th</sup> day, of June, 2006.

s/ Ana María Otero  
USDC No. 206312  
Attorney for defendants  
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and Banco Popular de Puerto Rico  
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